IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 1145 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE D.C.SRIVASTAVA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

CHAMPAKLAL D SHAH

Versus

HEIRS OF JAYANTILAL PRANJIVANDAS

Appearance:

MR AJ PATEL for Petitioner

MR R.C. KAKKAD for Respondent

CORAM : MR.JUSTICE D.C.SRIVASTAVA

Date of decision: 02/03/2001

ORAL JUDGEMENT

This is tenant's revision under Section 2(2) of The Bombay Rent Act. Shri. A.J.Patel for the revisionist and Shri R.C. Kakkad for the respondent landlord have been heard. After the close of arguments, Shri Patel requests for one years' time to vacate the

accommodation and hand over vacant possession to the respondent landlord. Shri Kakkad however, suggests that three months time may be granted to the revisionist to vacate the accommodation. Shri Patel however, points out that due to recent disturbances on account of earth-quake, it will not be possible for the revisionist to find out an alternative accommodation within three months. Assessing the situation existing at present and also considering the requests made by two sides, I think interest of justice would be met if nine months' time is granted to the revisionist to vacate and hand over possession of the suit accommodation to the landlord.

In view of the above discussion, the revision fails and is hereby dismissed with no order as to costs. The revisionist is granted nine months' time to vacate the suit accommodation and hand over vacant possession to the landlord on expiry of nine months. He will file usual undertaking that during this period he will continue to pay the rent to the landlord regularly on the third day of each English calender month and shall not hand over possession of the suit accommodation to anyone except the landlord. The undertaking be filed within three weeks from today.

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*/Mohandas